

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Aizawa et al.

Art Unit:

1642

Application No.:

09/830,019

Examiner:

E.M. Le

Filing Date:

September 21, 2001

Conf. No.: 9316

Title:

VACCINE PREPARATIONS CONTAINING ATTENUATED TOXIN

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application, please find the following:

- 1. Amendment in Response to Office Action mailed March 26, 2004 (9 pgs);
- 2. Petition for Three-Month Extension of Time (2 pages);
- 3. Check #567035 in the amount of \$950.00; and
- 4. Return postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 24, 2004, in an envelope addressed to:

Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450,

Alexandra, VA 22313-1456

Lisa E. Jambeau

In re Application of:

Aizawa, et al.

Serial No.: 09/830,019 Filed: September 21, 2001

Page 2

PATENT Docket No. SHIM1120

Rug. No. 45,517

Enclosed is check #567035 in the amount of \$950.00 to cover the Three-Month Extension of Time fee in connection with the filing of this paper. The Commissioner is hereby authorized to charge any additional fee, or credit any overpayments, to Deposit Account No. <u>50-1355</u>. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date: September 24, 2004

Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347 Telephone: (858) 677-1456 Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO Customer Number 28213